

Application No.: 10/606911

Case No.: 55313US010

**REMARKS**

Claims 1-26 are pending in the application with 1-11 being withdrawn. Claims 18-26 are allowed. Claims 12-14, 16 and 17 are rejected and claim 15 is objected to.

**§ 103 Rejections**

Claims 12-14 and 16 stand rejected under 35 USC § 103(a) as being unpatentable over Olsen (US 5916399) in view of Orenstein (US 5706133).

The Applicant notes that the rejection of claim 12 appears to be based on original claim 12 rather than claim 12 as amended in the response submitted 2-17-2005. Please note amended claim 12 recites...

A method of applying a retroreflective article comprising a plurality of discrete segments of retroreflective sheeting to a flexible substrate, comprising the steps of:

providing an elongate strip of an article having (i) a carrier with a first major surface and a second major surface and (ii) the plurality of discrete segments of a retroreflective sheeting having a first major viewing surface and a second major opposing adhesive surface protected by a release surface, wherein the first major viewing surface of the discrete segments of retroreflective sheeting is attached to the second major surface of the carrier;

exposing the second major opposing adhesive surface of the sheeting; and applying the adhesive surface of the plurality of discrete segments of retroreflective sheeting to the flexible substrate to thereby adhere the plurality of discrete segments of retroreflective sheeting to the substrate, the discrete segments of retroreflective sheeting being spaced apart from one another on the flexible substrate a distance sufficient to prevent contact between adjacent segments when the substrate is bent a predetermined distance.

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The Applicant submits that neither reference teaches the discrete segments of retroreflective sheeting being spaced apart from one another on the flexible substrate a distance sufficient to prevent contact between adjacent segments when the substrate is bent a predetermined distance.

The Applicant would also like to bring to the Examiner's attention that the parent patent application serial no. 09/740215 has been allowed. Attached is a copy of the Reasons for Allowance.

Since it appears as though the Examiner did not consider all the claim limitations of claim 12 as previously amended the Applicant respectfully requests reconsideration.

Respectfully submitted,

8-15-05  
Date

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Page 2

### REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

A review of applicants' arguments in amendment filed on February 28, 2005 and a review of the instant amended claims has convinced the examiner that the claims are allowable over the applied prior art of record. The prior art fails to teach or suggest that the plurality of discrete segments are spaced apart by a distance as per the formulae in claims 63 or 64, or the minimum gap will prevent adjacent segments from contacting each other when the article is bent by a predetermined radius ( $r$ ) and the presence of adhesive on the exposed surface of each discrete segment of retroreflective sheeting of the claimed article. Also, no evidentiary support could be provided to support the position that the instant claimed invention would have been obvious to one having ordinary skill in the art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is 571-272-1487. The examiner can normally be reached on 7:30 AM to 5:00 PM, and on alternate Friday.